

**OFFICE OF THE CHIEF OF POLICE**

**SPECIAL ORDER NO. 15**

**April 10, 2002**

**SUBJECT: REVISION TO SPECIAL ORDER NO. 39, 2001 - CIID INVESTIGATIONS**

**PURPOSE:** Special Order No. 39 of 2001 (SO 39) established procedures for handling Categorical uses of force. The Board of Police Commissioners reviewed the Order and directed that additional steps be taken to ensure the proper review of a Categorical use of force that is investigated by Internal Affairs Group (IAG) due to allegations of serious misconduct. Additionally, the criteria in SO 39 for a mandatory referral to Behavioral Science Services (BSS) have created some confusion. The Order requires a referral when a Categorical use of force results in "death or serious injury," but the Consent Decree and the Department's past practice require a directed referral when it results in "death or the substantial possibility of death."

This Order implements the Police Commission's direction regarding Categorical use of force investigations assigned to IAG, and it clarifies the criteria for making a directed BSS referral of an officer involved in a Categorical use of force.

**PROCEDURE:**

- I. CRITICAL INCIDENT INVESTIGATION DIVISION INVESTIGATION INVOLVING SERIOUS MISCONDUCT.** When a Critical Incident Investigation Division (CIID) investigation involves an allegation(s) of serious misconduct or the investigation reveals serious misconduct, the Commanding Officer, CIID, or the senior officer in charge of the CIID investigation shall immediately notify the Chief of Police or his designee; the Commanding Officer, IAG; and, the Inspector General (IG). When it is determined that an officer is involved in serious misconduct, IAG shall assume responsibility for the criminal and administrative investigations (Manual Section 3/794.32), though the Chief may assign the criminal investigation to any entity other than CIID. The Chief will notify the Board of Police Commissioners (Police Commission) in writing, with a copy to the IG, that the investigation has been transferred to IAG (or another entity) and include the new investigative control number as well as the old CIID control number (e.g., OIS number) if one was issued.

When IAG completes its investigation, the Chief shall forward a summary of the investigation to the Police Commission for its review with a copy to the IG. If that investigation is not completed at least 60 days before the running of any disciplinary (administrative) statute of limitations, the Chief will provide a status report of the investigation to the Police Commission, with a copy to the IG. The status report will identify the reason(s) the investigation is not completed, a description of investigative steps yet to be completed and a schedule for completing the investigation.

**II. REFERRAL TO BEHAVIORAL SCIENCE SERVICES.** The commanding officer of an on- or off-duty employee who is involved in an officer-involved shooting resulting in an injury to any person or a Categorical use of force resulting in death or the substantial possibility of death shall:

- \* Remove the officer(s) from field duty;
- \* Notify Behavioral Science Services (BSS) within two administrative working days of the incident;
- \* Schedule an appointment for the employee(s) with BSS for a psychological evaluation by a licensed mental health professional; and,
- \* Return the officer(s) to field duty only after receiving BSS's recommendation and obtaining concurrence from the employee's bureau commanding officer.

Generally, the term "involved officer" includes any partner officer(s) who was present during the incident. However, the determination of who is an "involved officer" shall be made at the time of each incident by the employee's bureau commanding officer. Matters discussed during the BSS evaluation shall be strictly confidential. However, BSS shall provide the employee's commanding officer with a recommendation as to the officer's return to field duty.

Within 30 calendar days of the incident, the employee's commanding officer shall submit an Intradepartmental Correspondence, Form 15.2, to the Chair of the Use of Force Review Board confirming compliance with these guidelines. The 15.2 shall include:

- \* The date of the incident;
- \* The date of the officer's BSS visit;

- \* The date of the commanding officer's consultation with BSS;
- \* The date concurrence was obtained from the bureau commanding officer; and,
- \* The date the officer(s) was returned to field duty, if such a determination was made.

**Note:** Nothing in this Order prevents a commanding officer from referring an officer to BSS under less serious circumstances (Department Manual Section 3/799).

**AMENDMENTS:** The appropriate amendments to the Department Manual will be made in conjunction with the amendments for Special Order No. 39.

**AUDIT RESPONSIBILITY:** In accordance with Department Manual Section 0/080.30, the Chief of Staff shall monitor compliance with CIID investigations assigned to IAG and the Commanding Officer, HRB, shall monitor compliance with BSS referrals.

**BERNARD C. PARKS**  
Chief of Police

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